

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

GEORGE A. JACKSON, et al.,)	
)	
Plaintiffs,)	
)	
v.)	C. A. No. 05-823-***
)	
STANLEY TAYLOR, et al.,)	JURY TRIAL REQUESTED
)	
Defendants.)	

**DEFENDANTS' MOTION FOR ENLARGEMENT OF TIME
OUT OF TIME PURSUANT TO FED. R. CIV. P. 6(b)(2)**

Defendants Stanley Taylor, Joyce Talley, Tony Figario, Carl Anson, Michael Knight, Chris Senato, Joseph Atkins, Debbie Melvin, Richard Crockett, Richard Manuel, Weston White, Steven Raynor and Bethany Evans (“Defendants”), by and through undersigned counsel, respectfully request this Honorable Court to enter an Order granting an enlargement of twenty days within which to file a motion for summary judgment. In support of this motion, Defendant offers the following:

1. A total of thirty-one (31) inmates commenced the instant action, pursuant to 42 U.S.C. §1983 , alleging Eighth and Fourteenth Amendment Due Process violations against the Defendants in connection with Plaintiffs’ incarceration by the Delaware Department of Correction (“DOC”). Six (6) plaintiffs have since been terminated, leaving the current number of plaintiffs at twenty five (25).

2. A lengthy period of discovery ensued after the complaint was filed. By Order dated August 16, 2007 (D.I.193), discovery was due by April 1, 2008, and case dispositive motions were due on April 28, 2008. Dates for the pretrial conference, submission of the

proposed pretrial order and trial are to be scheduled after all case dispositive motions are decided. *Id.*

3. Discovery was completed on schedule. Defense counsel had anticipated filing a motion for summary judgment by April 28, 2008. Completion of this filing requires review and analysis of voluminous records in this multifarious case involving 26 plaintiffs and 13 represented defendants. Supplementary time is needed to review all the discovery generated in this case. Additionally, two of the Defendants have retired, making contact with them difficult.

4. In addition, the press of other litigation and its accompanying time constraints have created the need for more time to review records and draft Defendants' motion.

5. This is Defendants' first request for an extension of time for filing a dispositive motion.

6. There is no trial date scheduled in this case.

7. A form of order is attached to this motion that will grant the Defendants a twenty (20) day extension in which to file Defendants' dispositive motion.

WHEREFORE, the Defendants respectfully request that this Honorable Court grant their Motion and enter an Order, substantially in the form attached hereto, enlarging Defendants' time.

**DEPARTMENT OF JUSTICE
STATE OF DELAWARE**

/s/ Catherine Damavandi
Catherine Damavandi, ID #3823
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Attorney for Defendants

Dated: April 30, 2008

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

GEORGE A. JACKSON, et al.,)	
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Plaintiffs,)	
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v.)	C. A. No. 05-823-***
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Defendants.)	

O R D E R

This _____ day of _____, 2008, IT IS HEREBY ORDERED, that Defendants Stanley Taylor, Joyce Talley, Tony Figario, Carl Anson, Michael Knight, Chris Senato, Joseph Atkins, Debbie Melvin, Richard Crockett, Richard Manuel, Weston White, Steven Raynor and Bethany Evans' *Motion for Enlargement of Time Out of Time* is **GRANTED**. Defendants shall file their dispositive motions on or before **May 19, 2008**.

United States District Court Judge

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7.1.1 CERTIFICATION OF COUNSEL

The counsel for the Defendants, Deputy Attorney General Catherine Damavandi, files this certification in compliance with Rule 7.1.1 of the Local Rules of Civil Procedure and certifies that:

1. Plaintiffs are inmates incarcerated in the Delaware Correctional system, at the Sussex Correctional Institution and the Delaware Correctional Center.
2. Since the Plaintiffs are not able to be reached by telephone counsel for the Defendants has spent no time in attempting to reach an agreement on the subject of the motion for enlargement of time.
3. She assumes the motion is opposed.

DEPARTMENT OF JUSTICE
STATE OF DELAWARE

/s/ Catherine Damavandi
Catherine Damavandi, ID #3823
Deputy Attorney General
820 N. French St. 6th Fl.,
Wilmington, De 19801
(302)577-8400
Attorney for Defendants

Dated: April 30, 2008

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CERTIFICATE OF SERVICE

I hereby certify that on April 30, 2008, I electronically filed the attached *Defendants' Motion for Enlargement of Time* with the Clerk of Court using CM/ECF. I hereby certify that on April 30, 2008, I have mailed by United States Postal Service, the document to the non-registered parties on the attached list.

STATE OF DELAWARE
DEPARTMENT OF JUSTICE

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